



Tanya Lane  
Acting Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR ROY ZARTARIAN**

## MINUTES

### **SPECIAL MEETING NEWINGTON HIGH SCHOOL AUDITORIUM 7:00 P.M.**

**April 18, 2016**

---

#### **I. CALL TO ORDER**

Mayor Zartarian called the meeting to order at 7 p.m.

#### **II. PLEDGE OF ALLIANCE**

#### **III. ROLL CALL**

Councilor Anest  
Councilor Budrejko  
Councilor DelBuono  
Councilor Klett - absent  
Councilor Manke  
Councilor Marocchini  
Councilor Nagel  
Councilor Serra  
Mayor Zartarian

#### **Staff Attendees:**

Tanya Lane, Acting Town Manager  
Ben Ancona, Town Attorney  
Ann Harter, Finance Director  
Jamie Trevethan, Asst. to the Town Manager – Administration  
Linda Irish-Simpson, Clerk of the Council

#### **IV. PUBLIC PARTICIPATION**

Jane Ancona Siegel, 57 Meadowview Court: She thanked the Mayor for obtaining the letter regarding the contingency account but the issue was regarding the \$515k that was negotiated to be a straight declared surplus. It would go to the Town and directly back to the Board of Ed. The amount would be added to the base line budget but since it did not pass that way, it took away various options for the Board of Ed and hoped the Council would honor the original agreement.

Nancy Petronio, 44 Centerwood Road: She read several emails between her and the Council as well as comments made by Councilor DelBuono. She indicated the agreement should have been passed with a \$345k (.05%) increase appropriated from the Town and the \$515k (.07%) was to be declared surplus by the BOE for the end of the fiscal year that would have been transferred to the Town and immediately transferred back to the BOE. The total would have been 1.2% increase in the base budget. The Council passed a resolution that the \$515k would go into a contingency fund, which was not the agreement. The \$515k was not to go into that fund.

John Bachand, 56 Maple Hill Avenue: He said he had voted for the majority of the Council and fully supported them. He thought the issue was an accounting issue and did not warrant a special meeting of the Council. He indicated there was \$500k the BOE might not get from State funding and time should be used to discuss that issue. Mr. Bachand did not appreciate the Superintendent saying he wished people would not say they were for education and at the same time stating they were for sustainable spending. He thought it was a seize mentality and held the Town to too big to fail thinking. Next year the State deficit was projected to be a billion dollars and hoped people would appreciate the position the Council had taken.

Emily Guion, 20 Kirkham Street: She stated the \$515k the BOE was requesting was surplus and would not impact anyone's taxes in Town.

Rose Lyons, 46 Elton Drive: She had watched many years of budget meetings and found this year to be the worst case of communication and confusion with the BOE budget. She had asked for the procedure to be changed in how the Council determined what their budget would be. She felt people had to sit at a table in front of the public to hash out the issues.

R. Nicholson, 40 Standard Street: She thanked the Mayor for the fine job he was doing and that he might make decisions that were not popular with everyone but times were tough. The monies were not available from the State or the Town. She thanked Tanya Lane for her loyalty and the students who spoke about cuts in the school budget. She felt the children would learn a life lesson and the need to live within a budget. Seniors had not had an increase in two years and indicated everyone had to tighten their belts to live within their means.

Gary Bolles, 28 Burdon Lane: He agreed with the Town Council on the budget and said he had also received a copy of the Town Attorney's letter and hoped the Town would not change the budget.

Michael Fox, 1901 Main Street: He was not happy about the April 5 budget meeting because the Republicans were not willing to share the legal opinion with the Democratic minority even though it was requested. He felt if it had been shared, they might not have needed the current meeting.

#### **V. CONSIDERATION OF OLD BUSINESS**

A. Council Rule 8 Special Meeting – Discussion of April 5, 2016 Budget Resolution and C. G. S. 10-248a

Mayor Zartarian stated the Town Council had voted on the budget on April 5 and it adhered to sound financial practices and unfortunately, not everyone was happy. An increase of 1.2% was provided to the BOE and a health benefit refund of approximately \$800k. The Council used an innovative solution by

increasing the mill rate for the appropriation and set up a non-lapsing fund for the BOE surplus. The budget was passed with the predicted decrease in State funding in mind.

He stated that Newington was projected to get a \$600k cut in educational cost sharing and other cuts to PILOT, DMV tax and a proposed spending cap that was to be imposed of 2.5% on towns in the future. He indicated it would take a lot of work to address the spending issues. The Mayor said the various departments had stepped up to the challenges as well as the Town Manager. Whenever the BOE budget was cut, he said they always threatened teacher layoffs and he wanted to see a responsible reaction from the administration instead of the chicken little approach.

Councilor Anest asked for a full explanation of what happened between the .49% and the difference of the 1.2 percent. She wanted to know where the \$515k amount came from and what were the consequences going forward to 2016-17 and to 2017-2018. Councilor DelBuono indicated there were ongoing negotiations for a few weeks with Mrs. Petronio, Jane and the Councilor. The Monday before the vote the negotiations centered around a health benefit, which had been done in the past. She asked the BOE to get back to her on Monday so it would give the Town staff time to prepare for the Tuesday meeting. The BOE indicated on Monday they were not interested in that negotiation. Since the public had requested a compromise, she attempted to come up with other options. On Monday night the surplus was mentioned and the amounts did shift. At some point, she said things got lost in translation in terms of operational versus surplus. The idea of a surplus account was brought up by the members of the BOE.

Councilor Serra stated that under the proposal it stated the money could be used for non-capital expenditures but the General Statute indicated the money was to be used for education and not how it was to be used. Councilor DelBuono indicated the wording for the resolution came from the Town staff and the Acting Town Manager stated the meaning of non-lapsing meant something different to Town staff and others. She indicated it had been done in the past but the amount of money was \$150k and the environment was less contentious than this year. The amount of \$515k going into the same set up worried her since it was a very large amount and felt it was risky. She felt the money was always going to go into a non-lapsing account and was not going to go in and out of the operating budget.

Mr. Ancona, Town Attorney, stated the non-capital provision was put in the resolution to give the BOE the latitude to use the money as they wanted. The money could be used for salaries and was not meant to be malicious.

Councilor Marocchini said that on April 5 they should have voted no to waive the rules and the Council could have voted on the budget at a later date. He indicated the Town Attorney was appointed by the Mayor and served at the pleasure of the Town. He said any legal opinion should be sent to the entire Council. Councilor Marocchini said it took five days to get the written opinion and thought the attorney had not completed it. Councilor DelBuono explained since time was short she was able to get the verbal opinion in time for the meeting and indicated that the night of the meeting. Mr. Ancona said five days for a written opinion was not unusual and was just a point of contention.

Mayor Zartarian read a letter from Councilor Klett stating that even though she was a Republican Town Council member, Councilor DelBuono did not discuss any agreement with her. She said her understanding of the proposal was a result of conversations with Councilor Anest and Nancy Petronio. She felt the agreement was for the money to be transferred immediately for the BOE use toward the 2016-2017 budget and did not feel the agreement was for the BOE to wait until July 1 to have access to the money. She thought the 1.2% increase was less than the BOE needed but was encouraged the majority had moved off the decrease to the BOE budget. The Councilor hoped there could be a resolution to the problem since it would cause harm to the school children.

Councilor DelBuono responded to Councilor Klett's letter by stating the Councilor did not maintain the integrity of the process by keeping the information within the party during the party caucus and instead shared the information with the newspaper, which was not OK with Councilor DelBuono. Councilor Klett shared emails with others outside the Republican caucus, and Councilor DelBuono at that point, decided to exclude her from certain discussions. There was also no disagreements over votes since everyone knew how Councilor Klett would vote and nobody ever had an issue with the way she voted. The Republicans encouraged her to vote how she needed to.

Councilor DelBuono said Councilor Klett stated the Council had cut \$2 million from the BOE budget and indicated that was incorrect. The Council cut the proposed increase from the BOE budget and the increase was 1.2%.

Councilor Manke said that during negotiations, Councilor DelBuono kept them well advised of the on-going negotiations. She did an excellent job of trying to work out an agreement that was fair to the BOE and the taxpayers. Councilor Nagel agreed with Councilor Manke that he had been kept informed of the negotiations and knew there was frustration on both sides. The budget was not malicious on anyone's part. His understanding was that any money put into the account would not be available until after the end of the fiscal year.

Councilor Anest asked what the Council could do regarding the misunderstanding to bring their base line budget to 1.2%. Mayor Zartarian said the budget had been adopted and indicated charter provisions permitted additional appropriations after the end of the fiscal year but did not see the Council doing that. He said the status of the State fiscal situation was dismal and indicated the BOE was trying for a higher base line budget for the year 2017-2018 and the Town did not know what the educational cost sharing would be.

Councilor Anest asked Tanya Lane for the impact on the decrease in revenue sharing from the State to the Town. Mrs. Lane indicated the amount was estimated to be \$1.35 million. If the BOE could not come up with the \$515k the non-lapsing account would hold whatever surplus they could provide and there was not a lot of room for the Town to come up with a couple of hundred thousand to cover a shortage. If it came to that, the Town would have to look hard at expenditures to make up the difference.

Councilor Anest was still confused as to how the amount of \$515k was reached and why it was not put into the budget and felt there was a lot of misinformation in the public and on Facebook. Councilor Manke did not want to govern by what was said on Facebook. Councilor Marocchini said the \$515k was agreed on but the Town staff was not comfortable with the amount and the BOE probably did not feel comfortable with the number either. Instead of a 1.2% increase the Council found a way to put the money into an account to make it look like an increase but was not really the full increase. He hoped further gaps would not occur in future years. He asked if the Council could legally put the \$515k into the budget, and Mrs. Lane indicated it could not be done.

Councilor Budrejko said the amount was there and the problem was what account it would go into. There was a good rational for putting the money into the special account and said they were in a situation of diminishing resources. The Town had to be open to new ways of doing things. The BOE could deposit money they did not use at the end of the year into the account, which could be carried over year after year. Fiscal prudence was important for the Town to be able to manage through any impact of the State's fiscal trouble.

## **VI. PUBLIC PARTICIPATION – ON AGENDA**

Joshua Schulman, 15 Longview Drive: He stated several councilors had mentioned fiscal responsibility and fiscal prudence and stated the money sitting in a CIP account instead of the operating budget was not fiscally responsible. The non-lapsing account which might have \$515k in it but the BOE needed the money for salaries and would forego buying things this year, fill in with health benefits from next year and instead use the money in the operating budget. The money was in a non-recurring account to be used for recurring expenses like salaries.

Maddie Kenny, 53 Crestview Drive: She said the negotiations were between one party and felt all parties should have been included. She felt the verbal legal opinion was not good enough to take a vote on and should have been written down and questioned.

Rose Lyons, 46 Elton Drive: She stated no matter who was in the majority a change should be made in the way negotiations were held. She thought they should be held in the open and any verbal opinions should be given to all in writing. She felt there was misunderstandings on what was being voted on and everything should be upfront and not behind closed doors.

John Bachand, 56 Maple Hill Drive: He stated he thought it was a simple concept for the BOE to manage their surplus and to keep it was a good idea. The minority stated they were not aware of the 1.2% increase but it should have been a pleasant surprise to the Democrats. The minority party inferred they knew better what the will of the voters was and he did not agree. He thought a charter revision could be looked at to allow a vote by the public to get an answer in limited circumstances but felt there would be wide spread support for the Council.

Nancy Petronio, 44 Centerwood Road: She said the \$515k amount came about by the original amount of \$465k and the difference in the mill rate. A \$400k surplus was originally proposed. Councilor DeIBuono came up with the \$515k. She said the BOE was having to lay off people, discontinuing the gifted and talented and the BOE was fighting for all the teachers and programs. Contractual increases and health benefit increases during the year would put the BOE in a very difficult situation. She indicated Lou's understanding was that the money would go back to the operating budget.

Wayne Alexander, 28 Burdon Lane: he agreed with Rose Lyons and the need for transparency. The negotiations should have been a two way street. The Town Council should create rules for negotiations, and draft regulations should be drawn within 90 days. The people should have access to the regulations through the Town website. The Town Council should adopt them so the lack of communication could be corrected.

Louise Pomeroy, 214 Candlewood Drive: She asked what the superintendent of schools made and asked if he would be willing to give up part of his pay to cover the salaries of the teachers he would have to lay off.

## **VII. REMARKS BY COUNCILORS**

Councilor Anest stated that they were pleased the Council decided on 1.2% but were not sure how the figure was arrived at. She would have been happier with 2% or 2.5%.

Councilor Budrejko said the BOE was 61% of the overall budget and they did value education. However, historically it had been the town side that had gone without and was unfair to say otherwise.

## **VIII. ADJOURNMENT**

A motion to adjourn at 8:20 p.m. was made by Councilor Marocchini and seconded by Councilor Nagel. The motion passed 8 – 0 (Councilor Klett-absent).

Respectfully Submitted,

Linda Irish-Simpson  
Clerk of the Council

Cc: T. Lane, Town Clerk